

ZB# 02-57

William Post

39-3-30

Prelim.

October 28, 2002

Public Hearing:

November 25, 2002.

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553

Variances Granted 11/25/2002

#02-57 Post, William

Over

39-3-30

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Post

FILE# 02-57

RESIDENTIAL: \$50.00

COMMERCIAL: \$150.00

INTERPRETATION: \$150.00

AREA ☒

USE ☐

APPLICATION FOR VARIANCE FEE.....\$ 50.00

#629 paid 11/4/02.

ESCROW DEPOSIT FOR CONSULTANT FEES.....\$ 300.00

#630 paid 11/4/02.

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 10/28/02-3.....\$ 13.00

2ND PRELIMINARY- PER PAGE.....\$

3RD PRELIMINARY- PER PAGE.....\$

PUBLIC HEARING - PER PAGE.....\$ 9.00

PUBLIC HEARING (CONT'D) PER PAGE.....\$

TOTAL.....\$ 22.00

ATTORNEY'S FEES: \$35.00 PER MEEETING

PRELIM. MEETING: .. 10/28/02.....\$ 35.00

2ND PRELIM.....\$

3RD PRELIM.....\$

PUBLIC HEARING.....\$ 35.00

PUBLIC HEARING (CONT'D).....\$

TOTAL.....\$ 70.00

MISC. CHARGES:

.....\$

TOTAL.....\$ 92.00

LESS ESCROW DEPOSIT.....\$ 300.00

(ADDL. CHARGES DUE).....\$

REFUND DUE TO APPLICANT..\$ 208.00

L.R.



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

OFFICE OF THE ZONING BOARD OF APPEALS

January 28, 2003

Mr. & Mrs. William Post
1 Valewood Drive
New Windsor, Ny 12553

SUBJECT: ZBA #02-57 VARIANCE REQUEST

Dear Mr. & Mrs. Post,

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,


Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mdm

In the Matter of the Application of

WILLIAM POST

#02-57

**MEMORANDUM OF
DECISION GRANTING
AREA VARIANCES**

WHEREAS, WILLIAM POST, owners of 1 Valewood Drive, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a 6 ft. 6 inch rear yard variance to construct a deck at above single-family residence in an R-4 zone; and

WHEREAS, a public hearing was held on the 25th day of November 2002 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a residential property located in a neighborhood of residential properties.
 - (b) A deck is necessary adjacent to the rear entrance of the property for the safety of the occupants and users of the property as a person exiting the home would be likely to sustain serious injury.
 - (c) The deck will not create the ponding or collection of water or affect the course of water drainage.
 - (d) The construction of the deck will not require the removal of trees or substantial vegetation.
 - (e) The deck will not be located on top of any easements, including water and sewer.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant which can produce the benefits sought.
3. The variances requested are substantial in relation to the Town regulations but nevertheless are warranted.
4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.
6. The benefit to the Applicant, if the requested variances are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variances are appropriate and are the minimum variances necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variances.

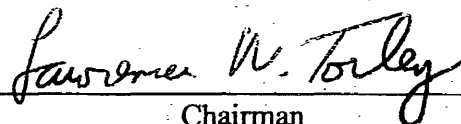
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 6 ft. 6 inch rear yard variance to construct a deck at 1 Valewood Avenue in the Town of New Windsor, located in an R-4 zone, as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: January 16, 2003


Chairman

**TOWN OF NEW WINDSOR
ENGINEER, PLANNING BOARD
AND ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: JANUARY 16, 2003
SUBJECT: REFUND REMAINDER OF ESCROW

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 208.00 TO CLOSE
OUT ESCROW FOR:**

ZBA FILE # 02-57

NAME: WILLIAM & JUDITH POST

ADDRESS: 1 VALEWOOD DRIVE

NEW WINDSOR, NY 12553-7438

THANK YOU,

MYRA

1/16/03

L.R.

© HARLAND RICHARD PETTY ITEMS LICENSED BY PETTY MARKETING COMPANY, LLC.
THE RICHARD PETTY NAME, SIGNATURE AND SUBSCRIPTIVE ARE EXCLUSIVE
TRADEMARKS OF PETTY MARKETING COMPANY, LLC

WILLIAM POST
JUDITH POST
1 Valewood Dr
New Windsor, NY 12553-7438

629

1-108/210

Pay to the
Order of

Town of New Windsor
Fifty and ~~*xp*~~ ~~*000*~~

Date

\$ 50.00

Dollars



Security
Features
Details on
Back

HSBC

HSBC Bank USA, N.A. 2000 Gateway Center, New York, NY 10038

For

BA #02-57

Judith Post

⑆021001088⑆078798289⑆ 0629

RICHARD PETTY ITEMS LICENSED BY PETTY MARKETING COMPANY, LLC
THE RICHARD PETTY NAME, LOGO AND TRADEMARKS ARE EXCLUSIVE
TRADEMARKS OF PETTY MARKETING COMPANY, LLC

WILLIAM POST
JUDITH POST
1 Valwood Dr
New Canaan, CT 06840

630



For 402-57 UBA

⑆021001088⑆078798289⑆ 0630

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#997-2002

11/04/2002

Post, William #02-57

Received \$ 50.00 for Zoning Board Fees on 11/04/2002. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

POST, WILLIAM 02-57

Mr. William Post appeared before the board for this proposal.

MR. TORLEY: Request for 6 ft. 6 in. rear yard variance to construct deck at 1 Valewood Avenue in an R-4 zone.

MR. TORLEY: There being no one in the audience.

MS. CORSETTI: Wait a second, we did send out 83 public hearing notices on November 6 and no one's here.

MR. KANE: Tell us what you want to do.

MR. POST: I wanted to build a deck from the side of the house come out 12 foot and 16 wide, long.

MR. TORLEY: This deck would reach to the pool?

MR. POST: No.

MR. KANE: How far off the ground is the deck?

MR. POST: Like 15 inches off the ground.

MR. KANE: Is there an existing doorway coming out?

MR. POST: Yes.

MR. KANE: So you do need the deck there as a safety issue?

MR. POST: Yes.

MR. KANE: Will you be creating any runoffs or water hazards with the building of the deck?

MR. POST: No.

MR. KANE: Will you be cutting down any trees?

MR. POST: No.

MR. KANE: And the deck itself will not change the

appearance of the neighborhood, it will be similar to other decks in the neighborhood?

MR. POST: Yes, it's not coming out as far as the door or the fence because it's only 12 foot off the house.

MR. MC DONALD: Is the deck going to be over any water or sewer easements?

MR. POST: No.

MR. TORLEY: Any other questions on this matter?

MR. MC DONALD: Accept a motion?

MR. TORLEY: Yes.

MR. MC DONALD: Make a motion we grant Mr. William Post's request for 6 foot 6 inch rear yard variance to construct his deck at 1 Valewood Avenue.

MR. POST: It's Valewood Drive.

MS. CORSETTI: We'll change it for you.

MR. REIS: Second it.

ROLL CALL

MR. KANE	AYE
MR. REIS	AYE
MR. MCDONALD	AYE
MR. TORLEY	AYE

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

Prelim.
Oct. 28, 2002.
#02-57

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 9/19/02

APPLICANT: William Post
1 Valewood Drive
New Windsor, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : Proposed 12x16 deck

LOCATED AT: 1 Valewood Drive

ZONE: R-4 Sec/Blk/ Lot: **39-3-30**

DESCRIPTION OF EXISTING SITE:

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Proposed rear deck will not meet minimum 40ft rear yard set-back.

**ZONING BOARD
COPY**

Frank R. Linn
BUILDING INSPECTOR

PERMITTED

40ft

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4

48-12
USE: G-8

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

33'-6"

~~27'-6"~~

~~12ft 6in~~

6'-6"

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be re-inspected after correction.

RECEIVED

SEP 16 2002

BUILDING DEPARTMENT

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building must be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:

Building Permit #: 2002-1028

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises William Post

Address 1 VALEWOOD DRIVE

Phone # 845-562-2565

Mailing Address _____

Fax # _____

Name of Architect _____

Address _____

Phone _____

Name of Contractor SELF

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder _____

If applicant is a corporation, signature of duly authorized officer. _____

(Name and title of corporate officer)

1. On what street is property located? On the _____ side of _____
(N, S, E or W)
and _____ feet from the intersection of _____

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N _____

X 3. Tax Map Description: Section _____ Block _____ Lot _____

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy _____ b. Intended use and occupancy _____

5. Nature of work (check if applicable) ☐ New Bldg. ☒ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other

6. Is this a corner lot? _____

REAR DECK
12 X 16

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____

Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

X 10. Estimated cost _____

Fee

\$50

PAID

CH # 576

date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances


Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Liel & Louis Krysheer
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12653
(845) 683-4818
(845) 683-4885 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

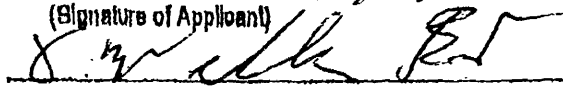
INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.


(Signature of Applicant)

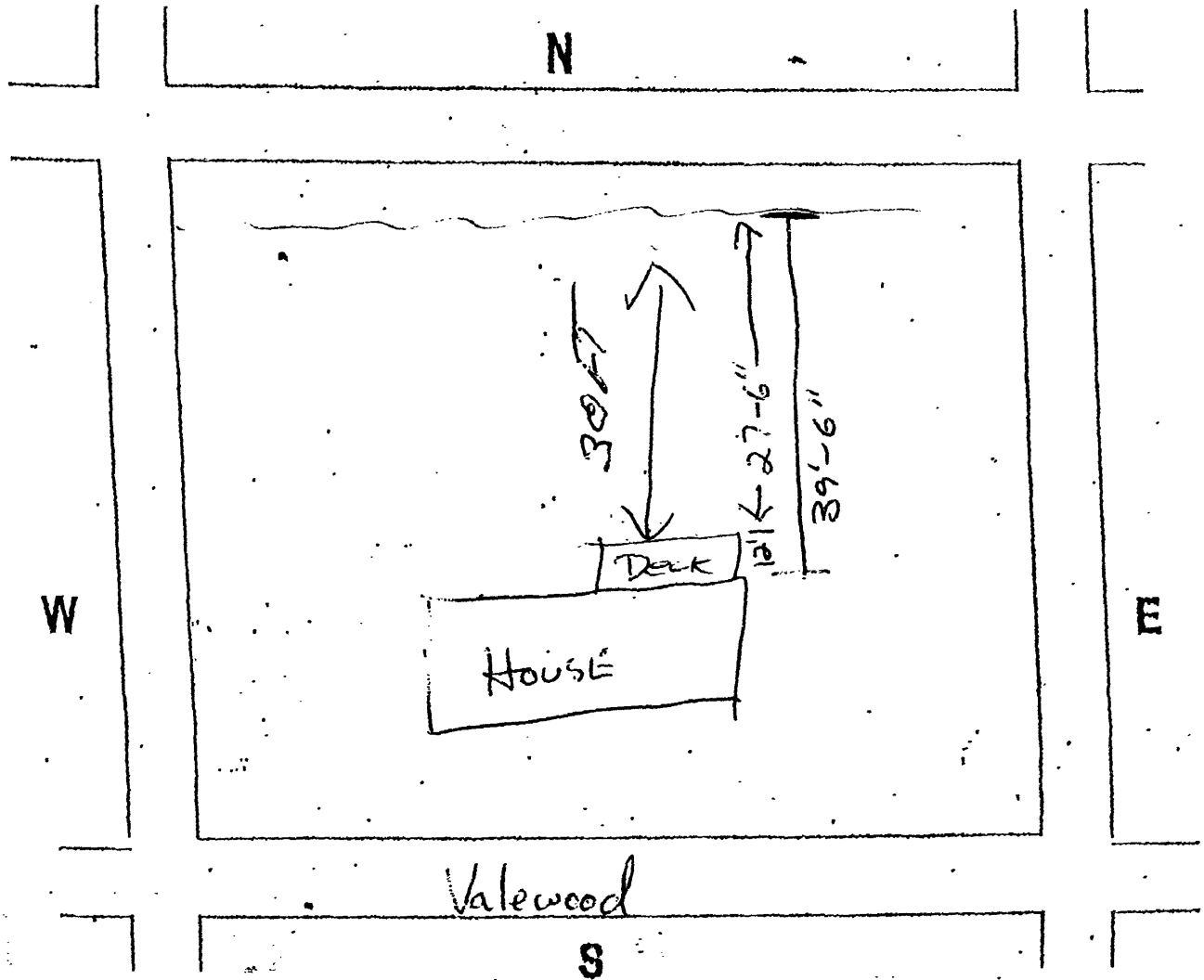
(Address of Applicant)


(Owner's Signature)

PLOT PLAN

(Owner's Address)

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.





-----X

**AFFIDAVIT OF
SERVICE
BY MAIL**

#02-57

PATRICIA A. CORSETTI
Notary Public, State of New York
No. 01BA4904434
Qualified in Orange County
Commission Expires August 31, 2025.



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

November 1, 2002

William Post
1 Valewood Drive
New Windsor, NY 12553

(Handwritten: \$130)

Re: 39-3-30

Dear Mr. Post,

According to our records, the attached list of property owners, are within five hundred (500) feet of the above referenced property.

The charge for this service is \$105.00 minus your deposit of \$25.00.

Please remit the balance of \$80.00 to the Town Clerk's Office.

Sincerely,

(Handwritten signature: John McDonald)

John McDonald
Acting Assessor

JM/JJL *(Handwritten initials)*
Attachments

CC: Pat Corsetti, ZBA

✓ 38-3-10
Central Hudson Gas & Electric Corp.
284 South Ave.
Poughkeepsie, NY 12602

✓ 38-3-11
Camille Vera & Rafael Toro
43 Harth Drive
New Windsor, NY 12553

✓ 38-3-12
Jon C. & Elizabeth F. Huxel
Life Est. for Charlotte B. Huxel
41 Harth Drive
New Windsor, NY 12553

✓ 38-3-13
Mary Jane Miller
39 Harth Drive
New Windsor, NY 12553

✓ 38-3-14
Max M. & Helen W. Skyer
37 Harth Drive
New Windsor, NY 12553

✓ 38-3-15
Clarence & Mary J. Johnson
35 Harth Drive
New Windsor, NY 12553

✓ 38-3-16
Kenneth & Marion Palmer
33 Harth Drive
New Windsor, NY 12553

✓ 38-3-17
Eric Boggs
31 Harth Drive
New Windsor, NY 12553

✓ 38-3-18
Christopher S. & Erin M. Lahey
29 Harth Drive
New Windsor, NY 12553

✓ 38-3-19
Charles W. & Doris A. Rogers
27 Harth Drive
New Windsor, NY 12553

✓ 38-3-20
Cynthia M. Jones
25 Harth Drive
New Windsor, NY 12553

✓ 38-3-21
Gideon Weinstein &
Lisa D'Adamo-Weinstein
23 Harth Drive
New Windsor, NY 12553

✓ 38-3-22
Felice Graziano
21 Harth Drive
New Windsor, NY 12553

✓ 38-3-23
Sergio & Silvana Riccitelli
19 Harth Drive
New Windsor, NY 12553

✓ 38-3-24
Frederick J. & Jean D. Melick
17 Harth Drive
New Windsor, NY 12553

✓ 38-3-44
James T. & Laura H. Herman
16 Willow Parkway
New Windsor, NY 12553

✓ 38-3-45
Paul J. Demeo
18 Willow Parkway
New Windsor, NY 12553

✓ 38-3-46
Michael & Ann D. Smith
20 Willow Parkway
New Windsor, NY 12553

✓ 38-3-47
James R. & Patricia A. Chick
22 Willow Parkway
New Windsor, NY 12553

✓ 38-3-48
Salvatore F. & Barbara E. Malfa
24 Willow Parkway
New Windsor, NY 12553

✓ 38-3-49
Salvatore J. Jr & Cheryl A. Aulogia
26 Willow Parkway
New Windsor, NY 12553

✓ 38-3-50
David & Carmela S. Rupp
28 Willow Parkway
New Windsor, NY 12553

✓ 38-3-51
Rebecca Kanan
30 Willow Parkway
New Windsor, NY 12553

✓ 39-1-1
Glenn & Fabiann Messenger
45 Harth Drive
New Windsor, NY 12553

✓ 39-1-2
Earl & Mari Pat Barnes
47 Harth Drive
New Windsor, NY 12553

✓ 39-1-3
James E. Jr. & Doris A. Greenwood
49 Harth Drive
New Windsor, NY 12553

✓ 39-1-4
Kevin A. Corbett
51 Harth Drive
New Windsor, NY 12553

✓ 39-1-5
Gregory & Karen VanDenBerg
Under the VanDenBerg Living Trust
53 Harth Drive
New Windsor, NY 12553

✓ 39-1-6
Carmine Arrucci & Karen L. Tobin
55 Harth Drive
New Windsor, NY 12553

✓ 39-2-1
Dennis & Laurie Hanrahan
42 Harth Dr.
New Windsor, NY 12553

✓ 39-2-2
Vito F. & Ciro Damone
44 Harth Dr.
New Windsor, NY 12553

✓ 39-2-3
Dominick J. Lucera & Anna Daily Life
Est.
for Joesph & Anna Lucera
46 Harth Dr.
New Windsor, NY 12553

✓ 39-2-4
David & Barbara Ann Evans
48 Harth Dr.
New Windsor, NY 12553

✓ 39-2-5
Leroy A. & Lorraine F. Langer
50 Harth Dr.
New Windsor, NY 12553

✓ 39-2-6
Christopher P. & Kathleen Marie Kelly
52 Harth Dr.
New Windsor, NY 12553

✓ 39-2-7
Edward J. Jr. & Beth Ann Yano
54 Harth Drive
New Windsor, NY 12553

✓ 39-2-19
Brian M. & Eileen F. Doyle
13 Cresthaven Rd.
New Windsor, NY 12553

✓ 39-2-20
James F. McMonigle
C/O Anita Jean McMonigle
12 Camelot Drive
Malboro, NY. 12542

✓ 39-2-21
Kenneth & Maureen Smith
9 Cresthaven Drive
New Windsor, NY 12553

✓ 39-2-22
Paul & Lois Gagliardi
7 Cresthaven Drive
New Windsor, NY 12553

✓ 39-2-23
Joseph M. Jr. & Stephanie Leechow
5 Cresthaven Drive
New Windsor, NY 12553

✓ 39-2-24
Thomas J. Gayton Sr.
3 Cresthaven Drive
New Windsor, NY 12553

✓ 39-2-25
Michael J. & Carolyn Stechishin
1 Cresthaven Drive
New Windsor, NY 12553

✓ 39-2-26
Kevin & Evelyn Woods
38 Harth Drive
New Windsor, NY 12553

✓ 39-2-27
Paul & Dorothy Suto
40 Harth Dr.
New Windsor, NY 12553

✓ 39-3-1
Roger F. & Elida & Wilbert G. Gutierrez
36 Harth Drive
New Windsor, NY 12553

✓ 39-3-2
Kasem & Kom-Kuy Chalermvong
2 Cresthaven Drive
New Windsor, NY 12553

✓ 39-3-3
Anthony Jr. & Cele Cimorelli
276 Temple Hill Rd. Unit 902
New Windsor, NY 12553

✓ 39-3-4
Joseph Gatt
6 Cresthaven Drive
New Windsor, NY 12553

✓ 39-3-5
Carlos & Virgenmina Gomez
8 Cresthaven Drive
New Windsor, NY 12553

✓ 39-3-6
Leonard & Carolyn Mortimer
10 Cresthaven Drive
New Windsor, NY 12553

✓ 39-3-7
Anthony A. Whyte & Juliet M. White
12 Cresthaven Drive
New Windsor, NY 12553

✓ 39-3-8
Bennett Irrevocable Trust
W/ John Bennett Sr. & Candace E. Rist
As Trustees
14 Cresthaven Dr.
New Windsor, NY 12553

✓ 39-3-24
Sisto & Lena Salbucci
13 Valewood Dr.
New Windsor, NY 12553

✓ 39-3-25
Kenneth F. & Rosalie M. Parker
11 Valewood Dr.
New Windsor, NY 12553

✓ 39-3-26
Dawn M. Olszewski
9 Valewood Dr.
New Windsor, NY 12553

✓ 39-3-27
W. James & Donna R. Pullar
1 Valewood Drive
New Windsor, NY 12553

✓ 39-3-28
Robert J. & Therese Zupitza
3 Valewood Dr.
New Windsor, NY 12553

✓ 39-3-29
Thomas M. & Elena Sears
3 Valewood Dr.
New Windsor, NY 12553

✓ 39-3-31
Dennis B. & Lenka N. Crawshaw
34 Harth Drive
New Windsor, NY 12553

✓ 39-4-1
Harold D. & Karole Green
32 Harth Dr.
New Windsor, NY 12553

✓ 39-4-2
Carl W. & Elizabeth G. Seagren
2 Valewood Drive
New Windsor, NY 12553

✓ 39-4-3
Roy G. & Dolores D. Dewitt
4 Valewood Dr.
New Windsor, NY 12553

✓ 39-4-4
Rosemary Coyle
6 Valewood Drive
New Windsor, NY 12553

✓ 39-4-5
Louis D. & Marion B. Randall
8 Valewood Dr.
New Windsor, NY 12553

✓ 39-4-6
Phyllis Scherf
10 Valewood Dr.
New Windsor, NY 12553

✓ 39-4-7
Richard G. & Angela R. Collery
12 Valewood Dr.
New Windsor, NY 12553

✓ 39-4-8
Michael & Janice Suchowiecki
14 Valewood Dr.
New Windsor, NY 12553

✓ 39-4-27
Henry & Mary Puglisi
12 Birchwood Dr.
New Windsor, NY 12553

✓ 39-4-28
Dennis K. & Virginia Monahan
10 Birchwood Dr.
New Windsor, NY 12553

✓ 39-4-29
Roy H. & Lucille R. Coleman
8 Birchwood Dr.
New Windsor, NY 12553

✓ 39-4-30
John A. & Eunice E. McKee
6 Birchwood Drive
New Windsor, NY 12553

✓ 39-4-31
Eleanor A. Harris
4 Birchwood Dr.
New Windsor, NY 12553

✓ 39-4-32
Harriet R. Odell
2 Birchwood Dr.
New Windsor, NY 12553

✓ 39-4-33
Arlene Swint
1 Hudson Dr.
New Windsor, NY 12553

✓ 39-4-34
Audrey K. & Harry C. III Thompkins
26 Harth Drive
New Windsor, NY 12553

✓ 39-4-35
James E. DeZago
28 Harth Drive
New Windsor, NY 12553

✓ 39-4-36
Carl & Hazel Pavilik
30 Harth Drive
New Windsor, NY 12553

✓ 39-5-1
Eric P. & Celine M. Maxwell
1 Birchwood Dr.
New Windsor, NY 12553

✓ 39-5-2
Lois A. Burt
3 Birchwood Dr.
New Windsor, NY 12553

✓ 39-5-3
Janet Smedes & Kristen Ehrens
5 Birchwood Dr.
New Windsor, NY 12553

✓ 39-5-30
Manuel & Diana Desousa
5 Hudson Dr.
New Windsor, NY 12553

✓ 39-5-31
Raymond J. & Janet D. Sullivan
3 Hudson Dr.
New Windsor, NY 12553

Pls. publish immediately. Send bill to Applicant.

PUBLIC NOTICE OF HEARING

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 57

Request of William Post

for a VARIANCE of the Zoning Local Law to Permit:

construction of deck w/ less than the allowable
rear yard;

being a VARIANCE of Section 48-12-Table of Use/Bulk-Col. G.

for property situated as follows:

One Valewood Drive, New Windsor, N.Y. 12553

known and designated as tax map Section 39, Blk. 3 Lot 30

PUBLIC HEARING will take place on the 25th day of November,
20 02 at the New Windsor Town Hall, 555 Union Avenue, New Windsor,
New York beginning at 7:30 o'clock P.M.

Lawrence Torley

Chairman

By: Patricia A. Corsetti, Secy.

PRELIMINARY MEETINGS:

POST, WILLIAM

MR. TORLEY: Request for 6 ft. 6 in. rear yard variance for proposed deck at 1 Valewood Drive in an R-4 zone.

Mr. William Post appeared before the board for this proposal.

MR. POST: They told me to bring pictures.

MR. TORLEY: So what is it you wish to do?

MR. POST: I'm putting a 12 foot deck on the back of the house. The deck is 12 foot out, 16 long from the back of my house.

MR. TORLEY: Gentlemen, here's the pictures. How far is it going to be from the edge of your pool?

MR. POST: It's going to be a distance from the pool.

MR. TORLEY: Mike, is there some regulations about how far you can have a deck from the pool, that kind of thing, the fencing?

MR. BABCOCK: No, actually, you can have the deck right up to the pool.

MR. TORLEY: The existing fence meets the regulations for pool safety?

MR. POST: Yes.

MR. BABCOCK: I believe he's all set with that, Mr. Chairman with the pool, I'll check that.

MR. TORLEY: One of the things you're asking for an area variance which means you want to build your deck closer to the back line than you're allowed to. This is a balancing test between what you want to do, economic hardship, if you can't, economic benefit if you can versus any impact on your neighbors. One of the things that we're always concerned about is health

and safety, water drainage, so your proposed deck will not cause a change of any water drainage?

MR. POST: No.

MR. TORLEY: Not going to be building it over any easements?

MR. POST: No.

MR. TORLEY: Gentlemen, do you have anything?

MR. RIVERA: Are there in the neighborhood same, similar type of decks?

MR. POST: Yes, there are.

MR. REIS: By the looks of your picture you don't have to cut down any trees.

MR. POST: No, I moved into the house three years ago and there wasn't a deck there so I wanted to put one up.

MR. TORLEY: One of the things you're going to have to do in pursuance of this variance application is sending out mailings to your neighbors telling them, legal notice that you're going to have such and such a hearing, talk to your neighbors cause sometimes the legal notices are a little confusing and so the neighbors know that you're putting up a deck and not a toxic waste dump.

MR. POST: They already know.

MR. REIS: Accept a motion?

MR. TORLEY: Yes.

MR. REIS: Make a motion we set up Mr. William Post for his requested variance at 1 Valewood Drive.

MR. RIVERA: Second it.

ROLL CALL

October 28, 2002

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MR. RIVERA	AYE
MR. REIS	AYE
MR. TORLEY	AYE

Date

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth
168 N. Drury Lane DR.
Newburgh, N.Y. 12550
.....

DATE			CLAIMED	ALLOWED
10/28/07		Tenney Board Mtg	75 00	
		Misc - 2		
		lost - 3 13.00		
		Neumann - 3		
		Kronner - 4		
		Monaco - 4		
		Accettura - 3		
		Chin - 3		
		Yarus - 4	117 00	
		26		
			192 00	

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

02-57
Date: 11/04/02

✓ I. Applicant Information:

- (a) William Post 1 VALEWOOD DR. New Windsor N.Y. 845-562-2565
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of contractor/engineer/architect/surveyor)

II. Application type:

☐ Use Variance
☒ Area Variance

☐ Sign Variance
☐ Interpretation

✓ III. Property Information:

- (a) R-4 (Same as above) 39-3-30 90' x 110 ±
(Zone) (Address of Property in Question) (S-B-L) (Lot size)
- (b) What other zones lie within 500 feet? None
- (c) Is pending sale or lease subject to ZBA approval of this Application? _____
- (d) When was property purchased by present owner? 7/14/2000
- (e) Has property been subdivided previously? NO
- (f) Has property been subject of variance previously? NO. If so, when? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? NO
- (h) Is there any outside storage at the property now or is any proposed? NO

IV. Use Variance. ~~NA~~

- (a) Use Variance requested from New Windsor Zoning Local Law,
Section _____, Table of _____ Regs., Col. _____.

(Describe proposal) _____

(b) The legal standard for a "Use" Variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

✓ V. Area Variance:

(a) Area variance requested from New Windsor Zoning Local Law,
Section 48-12, Table of Use/Bulk, Regs., Col. G.

Requirements	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd.		
Reqd. Rear Yd.	<u>40 ft.</u>	<u>33' 6"</u>
Reqd. Street Frontage*		<u>6' 6"</u>
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage*		
Floor Area Ratio**		
Parking Area		

* Residential Districts only

** Non-residential districts only

✓ (b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe

why you believe the ZBA should grant your application for an area variance:

It wouldn't change anything.

VI. Sign Variance: N/A

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, Supplementary Sign Regulations

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign #1	_____	_____	_____
Sign #2	_____	_____	_____
Sign #3	_____	_____	_____
Sign #4	_____	_____	_____

- (b) Describe in detail the sign (s) for which you seek a variance, and set forth your reasons for requiring extra or oversized signs.

for a rear deck

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building and free-standing signs? _____.

VII. Interpretation. N/A

- (a) Interpretation requested of New Windsor Zoning Local Law, Section _____.

- (b) Describe in detail the proposal before the Board:

✓VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

N/A

IX. Attachments required:

- ✓ Copy of referral from Bldg./Zoning Inspector or Planning Board.
- ✓ Copy of tax map showing adjacent properties.
- ✓ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ✓ Copy of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- N/A Copy(ies) of sign(s) with dimensions and location.
- ✓ Two (2) checks, one in the amount of \$ 60.00 and the second check in the amount of \$ 30.00, each payable to the TOWN OF NEW WINDSOR.
- ✓ Photographs of existing premises from several angles.

X. Affidavit.

Date: 11/04/02.

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

X W. H. B.
(Applicant)

Sworn to before me this

4th day of November, 2002.

XI. ZBA Action:

(a) Public Hearing date: _____

PATRICIA A. CORSETTI
Notary Public, State of New York
No. 01BA4904434
Qualified in Orange County
Commission Expires August 31, 2023.